

**MEADOW VISTA TRACTS, LOT 13, AP
EXPEDITED MINOR SUBDIVISION**

STAFF REPORT FOR BOARD OF COUNTY COMMISSIONERS

CASE PLANNER: John Lavey 

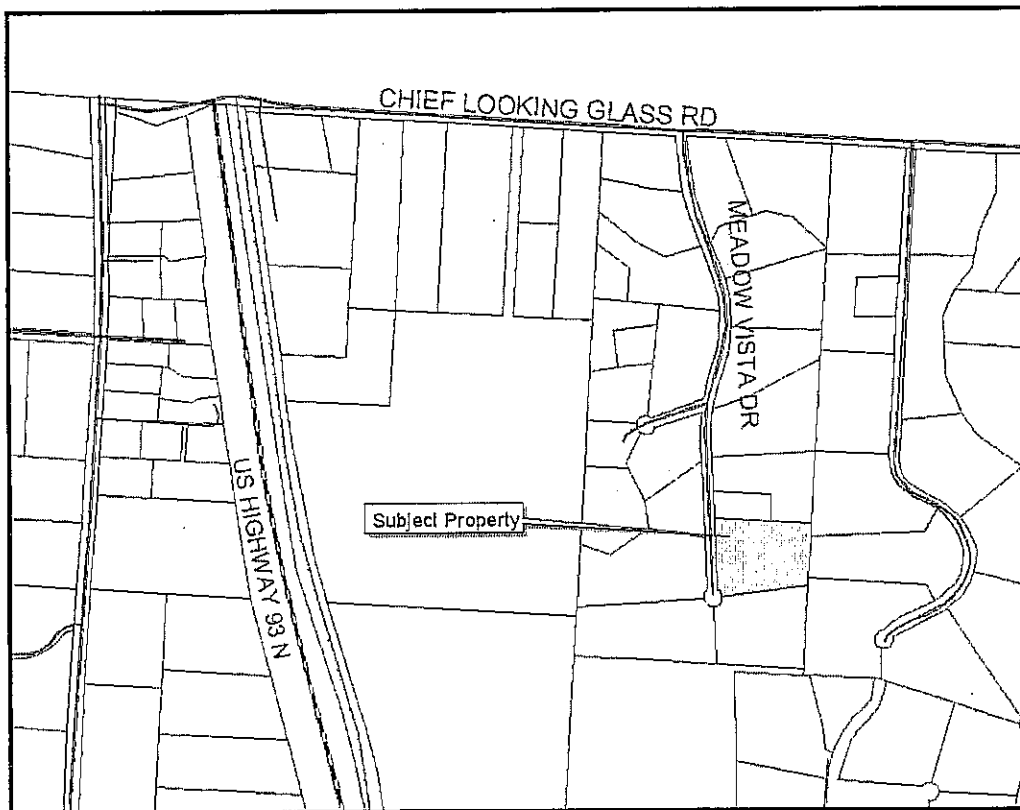
**REVIEWED/
APPROVED BY:** Renee Van Hoven

PUBLIC MEETING: BCC Site Visit: October 5, 2006
BCC Public Meeting: October 10, 2006
Deadline for BCC decision (35 working days): October 25, 2006

APPLICANT OWNER: Darrell Johnson
PO Box 1058
Florence, MT 59833

REPRESENTATIVE: Landworks Consulting & Design, 542-1415
Nathan Lucke
PO Box 7908
Missoula, MT 59807

LOCATION OF REQUEST: The property is located north of Florence on Meadow Vista Drive.



Map 1: Location Map
(Data Source: Ravalli County Planning Department)

**LEGAL DESCRIPTION
OF PROPERTY:**

Lot 13, Meadow Vista Tracts, located in the NW1/4 of Section 1,
T10N, R20W, P.M.M., Ravalli County, Montana.

**APPLICATION
INFORMATION:**

The subdivision application was determined complete on September
1, 2006. Agencies were notified of the subdivision and comments
received by the Planning Department are Exhibits A-1 through A-8 of
the staff report.

LEGAL NOTIFICATION:

No legal advertisement is required for expedited minor subdivisions.
Notice of the project was posted on the property and adjacent
landowners were notified by certified mail postmarked September 5,
2006. No public comments have been received to date.

**DEVELOPMENT
PATTERN:**

Subject property	Residential
North	Residential
South	Residential
East	Vacant rural & Agricultural
West	Residential

RAVALLI COUNTY BOARD OF COUNTY COMMISSIONERS

OCTOBER 10, 2006

MEADOW VISTA TRACTS, LOT 13, AP
TWO-LOT EXPEDITED MINOR SUBDIVISION

RECOMMENDED MOTION

That the Meadow Vista Tracts, Lot 13, AP Expedited Minor Subdivision be **approved**, based on the findings of fact and conclusions of law in the staff report and subject to the conditions in the staff report.

RECOMMENDED MITIGATING CONDITIONS OF APPROVAL FOR THE SUBDIVISION

1. A document entitled "Notifications to Future Property Owners" that includes the following notifications and the attachments listed below shall be included in the submittal of the final plat to the Planning Department and filed with the final plat:

Notification of Proximity to Agricultural Operations. This subdivision is located near existing agricultural activities. Some may find activities associated with normal agricultural activities objectionable and dangerous. *(Effects on Agriculture)*

Notification of Severe Soils. Within this subdivision there are areas of the property identified as potentially having soils rated as severe for road construction and building sites. The approximate locations of these areas can be found on a reduced copy of the final plat and descriptions of the severe soils in question which are included as exhibits to this document (the applicant shall include the exhibits as attachments). *(Effects on Public Health and Safety)*

Notification of Limitation of Improvements. No paving is permissible in areas delineated as being within the 100-year floodplain. For a complete table of development restrictions and allowances in and near the floodplain, consult the Ravalli County Floodplain Regulations, adopted March 17, 1999. *(Effects on Local Services)*

Notification of Proximity to Potential Dam Inundation Area in the Event of a Catastrophic Failure of the Lake Como Reservoir Dam and/or Painted Rocks Reservoir Dam. A portion of this subdivision may be located within the dam inundation area for the Painted Rocks Dam and the Lake Como Dam. The Painted Rocks Reservoir Dam is owned and operated by the State of Montana, Department of Natural Resources and Conservation District, Water Resources Division, Dam Safety Program (48 North Last Chance Gulch, P.O. Box 201601, Helena, Montana, 59620-1621). The Lake Como Reservoir Dam is owned and operated by the Bitterroot Irrigation District (1182 Lazy J Lane, Corvallis, Montana, 59828), and the safety of the dam is overseen by the Bureau of Reclamation, Dam Safety Division (Montana Area Office, 2950 4th Avenue North, Billings, Montana, 59107). For more information regarding these dams, please contact the above agencies. *(Effects on Public Health and Safety)*

Notification of Proximity to the Bitterroot River and the Bitterroot River Floodplain. This property is located in close proximity to the Bitterroot River. The banks of the River are subject to potential soil erosion, flooding and movement of the River's channel. A floodplain study has been done for this subdivision and portions of the property are located within the 100-year floodplain of the Bitterroot River. Approval of this subdivision is not a guarantee that properties

within this subdivision will be safe from flooding and/or surfacing high groundwater. It is recommended that property owners obtain flood insurance. (*Effects on Public Health and Safety*)

Limitation of Access onto a County Road. A "no ingress/egress" restriction is located along the Meadow Vista Drive frontage of the subdivision, excepting the driveway approaches approved by the Ravalli County Road and Bridge Department, which precludes vehicular access onto this County-maintained road. This limitation of access may be lifted or amended with approval of the County. (*Effects on Local Services & Effects on Public Health and Safety*)

2. Protective covenants for this subdivision shall be submitted with the final plat that include the following provisions:

Living with Wildlife. (See application for required provisions.) (*Effects on Wildlife and Wildlife Habitat*)

Floodplain Development. Any non-residential structure constructed within the 100-year floodplain of this subdivision must be flood-proofed per the requirements established in section 4-8 of the Ravalli County Floodplain regulations, effective March 17, 1999. All development within the 100-year floodplain must meet the minimum development standards set forth in the effective Ravalli County Floodplain Regulations (*Effects on Public Health and Safety*)

Waiver of Protest to Creation of RSID/SID. Owners and their successors in interest waive all rights in perpetuity to protest the creation of a city/rural improvement district for any purpose allowed by law, including, but not limited to a community water system, a community waste water treatment system, and improving and/or maintaining the roads that access the subdivision including related right-of-way, drainage structures, and traffic control signs. (*Effects on Local Services*)

Primary Heat Source. The primary heat source for the newly constructed residences in this subdivision shall be at least 75% efficient. (*Effects on Natural Environment*)

Lighting for New Construction. Full cut-off lighting shall be required for any new construction within this subdivision. A full cut-off fixture means fixtures, as installed, that are designed or shielded in such a manner that all light rays emitted by the fixture, either directly from the lamps or indirectly from the fixture, are projected below a horizontal plane through the lowest point on the fixture where light is emitted. The source of light is fully shielded, top and sides, so as not to emit light upwards or sideways, but only allowing light to shine down towards the subject that is to be lighted. Spotlighting of flag poles shall be permitted. (*Effects on Public Health and Safety*)

Control of Noxious Weeds. Lot owners shall control the growth of noxious weeds on their respective lot(s). (*Effects on Natural Environment*)

Radon Exposure. The owner understands and accepts the potential health risk from radon concentrations, which are presently undetermined at this location. Unacceptable levels of radon can be reduced through building design and abatement techniques incorporated into structures. (*Effects on Public Health and Safety*)

Required Posting of County-Issued Addresses for Lots within this Subdivision. The Florence Rural Fire District has adopted the Uniform Fire Code which requires the lot owners

to post the County-issued addresses at the intersection of the driveways leading to both of the residences and Meadow Vista Drive as soon as construction on the residences begins.
(*Effects on Local Services & Effects on Public Health and Safety*)

Access Requirements for Lots within this Subdivision. The Florence Rural Fire District has adopted the Uniform Fire Code. All accesses, including driveways to residences over 150' in length, must have a minimum unobstructed travel surface width of 20', a vertical clearance of 13'6", maximum grade of 6%, and an all weather surface that can accommodate the weight of a fire truck to meet requirements of the Uniform Fire Code. Please contact the Florence Rural Fire District at PO Box 721, Florence, MT, for further information on the requirements of the Florence Rural Fire District and/or the Uniform Fire Code. (*Effects on Local Services & Effects on Public Health and Safety*)

Amendment. The covenants filed with the final plat shall state that written governing body approval shall be required for amendments to provisions of the covenants listed above, that are required to be included as a condition of subdivision approval. (*Effects on all six criteria*)

3. The subdividers shall include an RSID/SID waiver in a notarized document filed with subdivision plat that states the following: Acceptance of a deed for a lot within this subdivision shall constitute the assent of the owners and any successors in interest to any future RSID/SID, based on benefit, for a community wastewater system, community water system, or upgrading roads leading to or within the subdivision, including but not limited to paving, curbs and gutters, non-motorized transportation facilities, street widening, and drainage facilities.
(*Effects on Local Services*)
4. The applicants shall provide evidence that a financial contribution of \$150 per lot has been contributed to the Florence-Carlton School District prior to final plat approval. (*Effects on Local Services*)
5. The applicants shall provide a letter from the Florence Rural Fire District stating that they have provided the required 1,000 gallons per minute water supply or 2,500 gallon per lot water storage for fire protection for each lot within this subdivision. Alternatively, the applicants may provide evidence that a \$500 per lot contribution has been made to the Florence Rural Fire District with the final plat submittal in lieu of the required water supply or water storage for fire protection. (*Effects on Local Services & Effects on Public Health and Safety*)
6. The subdivider shall provide evidence with the final plat submittal that they have applied for County-issued addresses for each lot within this subdivision. (*Effects on Local Services & Public Health and Safety*)
7. The final plat shall show a no ingress/egress zone along the Meadow Vista Drive frontage of the subdivision, excepting the driveway approaches, as approved by the Road and Bridge Department. (*Effects on Local Services & Effects on Public Health and Safety*)
8. The applicant shall provide an Elevation Certificate, subject to review and approval by the Ravalli County Floodplain Administrator, for each home prior to final plat approval. (*Effects on Public Health and Safety*)
9. The final plat shall show the extent and boundary of the 100-year floodplain as identified by surveyed elevations on the property. (*Effects on Public Health and Safety*)

INTRODUCTION

Meadow Vista Tracts, Lot 13, AP is a two-lot expedited minor subdivision proposed on 4.25 acres. The property is located north of the community of Florence off Chief Looking Glass Road and Meadow Vista Drive. Portions of the property are located within the 100-year floodplain and a permit has been granted for improvements proposed in the floodplain. It is located in the Florence-Carlton School District and the Florence Rural Fire District. There are currently two existing single family residential structures on the property.

Staff is recommending conditional approval of the subdivision.

SUBDIVISION REPORT

COMPLIANCE WITH PRIMARY SUBDIVISION REVIEW CRITERIA

CRITERION 1: EFFECTS ON AGRICULTURE

Findings of Fact:

1. The property is not currently being used for agriculture.
2. The property is adjacent to other residential properties, but there may be agricultural activities in the vicinity. To mitigate impacts on agriculture, a notification of proximity to agricultural operations shall be included in the notifications document. (*Condition 1*)
3. There are no Prime Farmland Soils or Farmland of Statewide Importance associated with this property.

Conclusion of Law:

With the mitigating condition, impacts of this subdivision on surrounding agricultural practices should be minimized.

CRITERION 2: EFFECTS ON AGRICULTURAL WATER USER FACILITIES

Finding of Fact:

There are no water rights or irrigation infrastructure associated with this property.

Conclusion of Law:

Agricultural water user facilities will not be affected by this proposal.

CRITERION 3: EFFECTS ON LOCAL SERVICES

Findings of Fact:

1. It is unknown if Chief Looking Glass Road and Meadow Vista Drive, County-maintained roads, meet County standards and if not, the applicant will be required to pay the pro-rata share of the cost to improve the portion of Chief Looking Glass Road and Meadow Vista Drive that leads to the subdivision from US Highway 93. Pro rata will be assessed for the additional lot.
2. A single driveway currently exists on Lot 13A and the applicant is proposing a new driveway to serve Lot 13B. An approved approach permit for the new driveway is a requirement of final plat approval.
3. The Ravalli County Floodplain Regulations preclude the construction of asphalt surfaces within the 100-year floodplain. To notify potential landowners of this limitation of improvement, a notification shall be included in the Notifications Document. (*Condition 1*)
4. To limit access onto Meadow Vista Drive and to mitigate impacts on local services, the final plat shall show a non ingress/egress zone along the Meadow Vista Drive frontage of Lot 13A and Lot 13B, excepting the existing driveway for Lot 13A and the approved driveway for Lot 13B. A Notification of this limitation of access shall also be included in the Notifications Document. (*Conditions 1 & 7*)
5. Installation of all infrastructure improvements is required to be completed prior to final plat approval.
6. Individual wells and septic systems serve the lots. (*See Natural Environment*)
7. To mitigate potential impacts of this subdivision on any possible future public water, sewer system, or improvements to the road system, the RSID/SID waiver filed with the final plat shall address these services/facilities. (*Conditions 2 & 3*)
8. Bitterroot Disposal provides service to this site.
9. The Florence-Carlton School District was notified of the subdivision proposal. In a letter dated September 13, 2006, the School District requested a \$10,418 per lot contribution. The developer is proposing to contribute a \$150 per lot voluntary donation to the school district. To

- mitigate impacts on local services, the developer shall provide evidence that a contribution has been made to the School District prior to final plat approval. (*Condition 4*) (*Exhibit A-2*)
10. The subdivision is located within the Florence Rural Fire District. The Florence Rural Fire District has provided comments on previous subdivision proposals indicating they have adopted a policy which addresses access, posting of addresses, and water supply requirements. To mitigate impacts on local services, the developer shall meet the recommendations of the Florence Rural Fire District. (*Conditions 2 & 5*)
 11. Public services are adequate to serve the subdivision.
 12. The Ravalli County Sheriff's Office provides law enforcement services to this area.

Conclusion of Law:

With the conditions of approval and requirements of final plat approval, impacts of the subdivision on local services will be mitigated.

CRITERION 4: EFFECTS ON THE NATURAL ENVIRONMENT

Findings of Fact:

1. The 4.25-acre property currently has two single family dwelling units with the remainder of the property composed of grasses.
2. Individual wells and septic systems exist for each lot within this subdivision. The Environmental Health Department has provided a comment letter dated May 22, 2006, that is included in the application packet, which states the proposal is exempt from sanitation in subdivision regulations pursuant to ARM 17.36.605 (2) (b). (*Exhibit A-4*)
3. To mitigate air pollution resulting from home heating emissions, protective covenants shall be filed with the final plat stating that the primary heat source for any newly constructed residences must be at least 75% efficient. (*Condition 2*)
4. An approved noxious weed and vegetation control plan is required to be filed with the final plat. According to MCA 7-22-2152, any person proposing a development that needs state or local approval and that results in the potential for noxious weed infestation within a weed district shall notify the weed board at least 15 days prior to activity. Consequently, 15 days prior to activities requiring a revegetation plan, such as road construction, the plan shall be submitted to the weed board for approval by the board (*Condition 2*).

Conclusion of Law:

With the conditions of approval, this subdivision will have no effect on the natural environment.

CRITERION 5: EFFECTS ON WILDLIFE AND WILDLIFE HABITAT

Findings of Fact:

1. The property is not located within the Montana Fish, Wildlife, and Parks (FWP) identified big game winter range and there are no species of special concern listed in the vicinity of the property.
2. FWP requested that living with wildlife provisions be included in the covenants to mitigate impacts on wildlife and wildlife habitat. (Application) (*Condition 2*)

Conclusion of Law:

With the condition of approval, the proposed subdivision will likely have a minimal impact on wildlife.

CRITERION 6: EFFECTS ON PUBLIC HEALTH AND SAFETY

Findings of Fact:

1. Areas of the proposed subdivision are located in the 100-year floodplain of the Bitterroot River. The applicants have applied for and received a floodplain permit to construct a driveway through areas identified as being in the 100-year floodplain. (Application)
2. In an email dated September 11, 2006, (*Exhibit A-1*) the DNRC Water Resources Division Engineering Specialist in the Missoula Regional Office, Larry Schock, requested that the developer provide the following items:
 - An Elevation Certificate (EC) for any residential structure within the proposed development to ensure that it is not within the 100-year floodplain
 - That the 100-year floodplain be elevationally identified on the site in order to ensure that septic systems meet the 100-foot setback required by sanitation regulations.
 - That no basements be allowed
 - That any residential structures be elevated two feet above the base flood elevation (BFE)
 - That any non-residential structure be flood proofed
3. To ensure that each existing home lies above the BFE, and to mitigate impacts on public health and safety, the applicant shall provide an Elevation Certificate, subject to review and approval by the Ravalli County Floodplain Administrator, for each home prior to final plat approval. (*Condition 8*)
4. To mitigate impacts on public health and safety, a requirement that any non-residential structure be flood proofed in accordance with section 4-8 of the Ravalli County Floodplain Regulations shall be included in the covenants. (*Condition 2*)
5. The final plat shall show the extent and boundary of the 100-year floodplain on the property. (*Condition 9*)
6. The preliminary plat and soil map indicates there are soil types on the property that are considered severe for construction of roads and/or buildings. To mitigate potential impacts on public health and safety, a notification of severe soils shall be in the Notifications Document filed with the final plat. (*Condition 1*)
7. A portion of the property may be located within the Lake Como Dam and Painted Rocks Dam Inundation Area. The mapping of dam inundation areas is based on coarse data and should only be used for general planning purposes. To inform future property owners and to mitigate potential impacts of the subdivision on public health and safety, a notification of the dam inundation areas shall be included in the Notifications Document filed with the final plat. (*Condition 1*)
8. To notify potential property owners of the areas on the property which are identified as being below the 100-year floodplain, a notification of proximity of the Bitterroot River and the Bitterroot River floodplain shall be included in the Notifications Document. (*Condition 1*)
9. To mitigate impacts on public health and safety, the subdivider shall apply for County-issued addresses and a provision requiring property owners to post County-issued addresses at their driveways shall be in the covenants. (*Conditions 2 & 6*)
10. The proposed subdivision is located within the Florence Rural Fire District and with Conditions 2, 5, & 6, impacts to the District will have been addressed.
11. To mitigate the impacts of light pollution stemming from new construction, the protective covenants shall include a provision requiring full cut-off lighting with the exception of flag poles. (*Condition 2*)
12. To limit access onto Meadow Vista Drive and to mitigate impacts on local services, the final plat shall show a non ingress/egress zone along the Meadow Vista Drive frontage of Lot 13A and Lot 13B, excepting the approved approach permit from the Ravalli County Road and Bridge Department for the new driveway. A Notification of this limitation of access shall also be included in the Notifications Document. (*Condition 1*)
13. There is a prevalence of radon in the County and to mitigate impacts on public health and safety, the covenants shall include a statement regarding radon exposure. (*Condition 2*)

Conclusion of Law:

The mitigating conditions and requirements of final plat approval will address impacts on public health and safety.

COMPLIANCE WITH:

1) THE SURVEY REQUIREMENTS PROVIDED FOR IN PART 4 OF M.C.A. 76-3.

Finding of Fact:

The Seal of a Professional Land Surveyor or Engineer is required on all final plats, which states that the subdivision complies with part 4 of M.C.A. 76-3.

Conclusion of Law:

This proposal meets the survey requirements or conditions have been required to bring the proposal into compliance.

2) THE LOCAL SUBDIVISION REGULATIONS PROVIDED FOR IN PART 5 OF M.C.A. 76-3.

Finding of Fact:

Subdivisions are required to comply with the local subdivision regulations provided for in part 5 of M.C.A. 76-3.

Conclusion of Law:

The developer has submitted a plan which complies with the requirements of local subdivision regulations or conditions have been required that will bring the plan into compliance.

3) THE LOCAL SUBDIVISION REVIEW PROCEDURE PROVIDED FOR IN THE RAVALLI COUNTY SUBDIVISION REGULATIONS

Findings of Fact:

1. Subdivisions are required to comply with the local subdivision review procedure provided for in the Ravalli County Subdivision Regulations.
2. A decision of the governing body rejecting or approving a proposed subdivision may be appealed to the district court within thirty (30) days of such decision. The petition shall specify the grounds upon which the appeal is made. An appeal may be made by the subdivider; a landowner with a property boundary contiguous to the proposed subdivision or a private landowner with property within the unincorporated area of the county that can show a likelihood of material injury to the landowner's property or its value; a first class municipality if the subdivision is within three miles of its limits, a second class municipality if a subdivision is within two miles of its limits, a third class municipality or town if the subdivision is within one mile of its limits. An aggrieved party means a person who can demonstrate a specific personal and legal interest, as distinguished from a general interest, who has been or is likely to be specially and injuriously affected by the decision.

Conclusion of Law:

This development plan proposal has followed the necessary application procedure and has been reviewed within the procedures provided in Chapter 3 of the Ravalli County Subdivision Regulations.

CONSISTENCY WITH EXISTING ZONING AND COVENANTS

Findings of Fact:

1. The property is not located within a voluntary zoning district.
2. There are existing covenants on the property, included in the application packet. The proposal appears to be consistent with the covenants.

Conclusion of Law:

There is no zoning on this property and the proposal appears to comply with existing covenants.

PROVISION OF EASEMENTS FOR UTILITIES

Finding of Fact:

The proposed subdivision will be served by Northwestern Energy, Ravalli Electric Cooperative, and Qwest Telephone. Utility certificates are a requirement of final plat approval.

Conclusion of Law:

Utility services will be available to this subdivision.

PROVISION OF LEGAL AND PHYSICAL ACCESS

Finding of Fact:

Physical and legal access for this subdivision is proposed via Chief Looking Glass Road and Meadow Vista Drive, which are County-maintained roads. (*Local Services*)

Conclusion of Law:

With the conditions of approval and requirements of final plat approval, the proposal meets physical and legal access requirements.

John Lavey

From: Schock, Larry [lschock@mt.gov]
Sent: Monday, September 11, 2006 3:17 PM
To: John Lavey
Cc: Laura Hendrix
Subject: Meadow Vista Tracts proposed subdivision

EXHIBIT A-1

Hi John,

My name is Larry Schock and I am the DNRC Water Resources Division Engineering Specialist in the Missoula Regional Office in charge of reviewing subdivisions for water right and floodplain concerns.

I have reviewed the proposed Meadow Vista Tracts, Lot 13, Minor Subdivision and I have the following comments.

It appears that all or portions of this property are within the 100 yr. and the 500 yr. mapped floodplain of the Bitterroot River. Furthermore, this property appears to be located near an old inactive oxbow of the river. Therefore, this property has a very high probability of being below the 100 yr. base flood elevation (BFE), and elevationally within the 100 yr. floodplain.

The printed floodplain maps are a visual approximation of the boundary of the 100 yr. floodplain. The actual floodplain boundary is determined by finding where the BFE actually meets the existing natural grade.

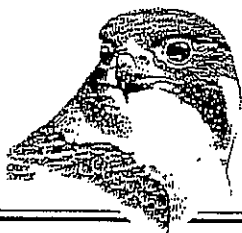
This property is located in between two surveyed cross sections and the difference between the 100 yr. flood elevation and the 500 yr. elevation in this area is only 0.4 ft.. Since Ravalli County does not allow residential developments in the floodplain and any septic system must be located 100 ft. outside of the 100 yr. floodplain, elevation information should be required prior to any development association with this proposed subdivision.

Therefore, the DNRC recommends that the developer provide an Elevation Certificate for any residential structure within the proposed development to insure that it is not within the 100 yr. floodplain and that the 100 yr. floodplain boundary be elevationally identified on the site in order to insure that septic system meets the 100 ft. setback requirement. Since this property appears to be in close proximity to the floodplain it is further recommended that no basements be allowed, any residential structures be elevated 2 ft. above the BFE, and any non-residential structure be flood proofed.

Please contact either myself, or Laura Hendrix, Ravalli County Floodplain Administrator, if you have any floodplain questions.

Thank you for your time in attending to this matter.

Larry A. Schock, CFM
MT DNRC MRO
(406) 721-4284



FLORENCE
CARLTON
SCHOOL

FCS Home Page: www.florence.k12.mt.us

RECEIVED

SEP 20 2006
106-09-1200
Ravalli County Planning Dept.

5602 Old Hwy 93
Florence MT 59833

JOHN MCGEE
SUPERINTENDENT
Ph. (406) 273-6751

REBECCA STAPERT
PRINCIPAL, GR. 9-12
Ph. (406) 273-6301

EDWARD NORMAN
PRINCIPAL, GR. 6-8
Ph. (406) 273-0587

VANCE VENTRESCA
PRINCIPAL, GR. K-5
Ph. (406) 273-6741

CHRISSY HULLA
ASST. PRINCIPAL, GR. K-5
Ph. (406) 273-6741

JULIE LORENSEN
BUSINESS MANAGER
Ph. (406) 273-6751

September 13, 2006

John Lavey
Ravalli Planning Department
215 South 4th Street; Suite F
Hamilton, MT 59840

EXHIBIT A-2

Re: Meadow Vista Tracts

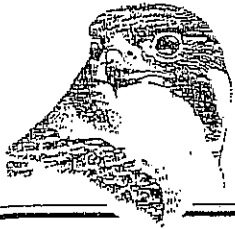
Dear Mr. Lavery:

Your letter to the Florence-Carlton School District dated September 5, 2006, requested comments about the Meadow Vista Tracts, Lot 13, AP Expedited Minor Subdivision. In anticipation of this and other subdivision, our district formed a Mitigation Fee committee. This committee took an in depth look at the impact subdivisions would have on our district. They used information commonly requested by the county commissioners when reviewing subdivisions, and information from an August 8, 2006 Impact Fee Study completed for our district.. You will find that the district is requesting a fee of \$10,418 per lot, and will file this request with the Ravalli County Planning Board. We also wish to have it on record that the District will not provide transportation services for any students who do not live on county roads.

If you have any questions, please do not hesitate to contact me.

Sincerely,

John McGee
Superintendent



FLORENCE
CARLTON
SCHOOL

EXHIBIT A-3

FCS Home Page: www.florence.k12.mt.us

Old Hwy 93
Florence, MT 59833

JOHN McGEE
SUPERINTENDENT
Ph. (406) 273-6751

REBECCA STAPERT
PRINCIPAL, GR. 9-12
Ph. (406) 273-6301

EDWARD NORMAN
PRINCIPAL, GR. 6-8
Ph. (406) 273-0587

VANCE VENTRESCA
PRINCIPAL, GR. K-5
Ph. (406) 273-6741

CHRISSE HULLA
ASST. PRINCIPAL, GR. K-5
Ph. (406) 273-6741

CATHY BINANDO
BUSINESS MANAGER
Ph. (406) 273-6751

March 23, 2006

Landworks Consulting & Design, Inc.
P.O. Box 7908
Missoula, MT 59807

Re: Amended Plat of Lot 14 Meadow Vista Tracts
Section 01, T10N, R20W
Florence, Ravalli County, MT

To whom it may concern:

Your letter to the Florence-Carlton School District dated March 21, 2006, requested comments about the Meadow Vista Tracts. In anticipation of this and other subdivision, our district formed a Mitigation Fee committee. This committee took an in depth look at the impact subdivisions would have on our district. They used information commonly requested by the county commissioners when reviewing subdivisions, and information which will be required by Senate Bill No. 185 recently enacted by the state legislature. You will find that the district is requesting a fee of \$5,312.50 per lot, and will file this request with the Ravalli County Planning Board. We also wish to have it on record that the District will not provide transportation services for any students who do not live on county roads.

If you have any questions, please do not hesitate to contact me.

Sincerely,

John McGee
Superintendent

RECEIVED

APR 18 2006

Ravalli County Planning Dept.

RECEIVED

MAY 23 2006
IC-06-05-804-JR
Ravalli County Planning Dept



Environmental Health
215 South 4th - Suite D
Hamilton, MT 59840
(406)375-6565 FAX (406)375-6566

May 22, 2006

EXHIBIT A-4

Darrell Johnson and Denise Pascua
PO Box 1058
Florence, MT 59833

Re: Subdivision Exemption #SSE-06-3764, Johnson, Parcel # 1433800, Geocode # 1869-01-1-01-08-0000

Dear Mr. Johnson:

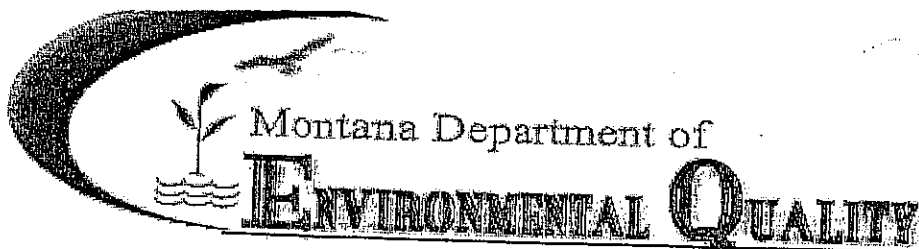
The Ravalli County Environmental Health Department has reviewed your subdivision exemption application for exemption from the sanitation in subdivision regulations, Section 76-4-125, MCA, and has determined that you can use the exemption stated on the application, survey, or plat for the above-referenced parcels. Lot 13 is exempt pursuant to ARM 17.36.605 (2) (b).

This approval must be utilized within one year of the above date, unless you specifically request in writing a one-year extension. If you have questions, please contact me at the address above or call (406)375-6572.

Sincerely,


Morgan Farrell RS
Ravalli County Environmental Health

Cc: Landworks Consulting and Design



Judy Martz, Governor

P.O. Box 20091 Helena, Montana, 59620-0901 406-444-2544 www.deq.state.mt.us

December 2, 2004

RECEIVED

DEC 03 2004

County Planning Office

IC 04-12-1942

Mr. Jason Rice
Landworks Consulting & Design
P.O. Box 7908
Missoula, Montana
59807

RE: Meadow Vista Tracts, Lot 13
Ravalli County
EQ# 05-1706

EXHIBIT A-5

Dear Mr. Rice:

The plans and supplemental information relating to the water supply, sewage, solid waste disposal, and storm drainage (if any) for the above referenced division of land have been reviewed as required by ARM Title 17 Chapter 36(101-805) and have been found to be in compliance with those rules.

Two copies of the Certificate of Subdivision Plat Approval are enclosed. The original is to be filed at the office of the county clerk and recorder. The duplicate is for your personal records.

Development of the approved subdivision may require coverage under the Department's General Permit for Storm Water Discharges Associated with Construction Activity, if your development has construction-related disturbance of one or more acre. If so, please contact the Storm Water Program at (406) 444-3080 for more information or visit the Department's storm water construction website at <http://www.deq.state.mt.us/wqinfo/MPDES/StormwaterConstruction.asp>. Failure to obtain this permit (if required) prior to development can result in significant penalties.

Your copy is to inform you of the conditions of the approval. Please note that you have specific responsibilities according to the plat approval statement primarily with regard to informing any new owner as to any conditions that have been imposed.

If you wish to challenge the conditions of this Certificate of Subdivision Plat Approval, you may request a hearing before the Board of Environmental Review or the Department, pursuant to Section 76-4-126, MCA and the Montana Administrative Procedures Act.

If you have any questions, please contact this office.

Sincerely,

Melton C. Atwell

Raymond Lazuk, Supervisor
Subdivision Review Section

RL/MEA

cc: County Sanitarian
County Planning Board

STATE OF MONTANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
CERTIFICATE OF SUBDIVISION APPROVAL
(Section 76-4-101 et. seq., MCA)

TO: County Clerk and Recorder
Ravalli County
Hamilton, Montana

E.Q. #05-1706

THIS IS TO CERTIFY THAT the plans and supplemental information relating to the subdivision known as **Meadow Vista Tracts, Lot 13 Rewrite**

FOR LEGAL DESCRIPTION, SEE ATTACHED "EXHIBIT A"

consisting of one (1) lot have been reviewed by personnel of the Permitting and Compliance Division, and,

THAT the documents and data required by ARM Chapter 17 Section 36 have been submitted and found to be in compliance therewith, and,

THAT the approval of the Plat is made with the understanding that the following conditions shall be met:

THAT the lot size as indicated on the Plat to be filed with the county clerk and recorder will not be further altered without approval, and,

THAT the lot shall be used for two single-family dwellings, and,

THAT the individual water system will consist of a well drilled to a minimum depth of 25 feet constructed in accordance with the criteria established in Title 17, Chapter 36, Sub-Chapters 1, 3, and 6 ARM and the most current standards of the Department of Environmental Quality, and,

THAT the data provided indicates an acceptable water source at a depth of approximately 100 feet, and,

THAT the individual wastewater treatment system will consist of a septic tank, effluent filter, and subsurface sand-lined and pressure-dosed drainfield per plans and specifications by Jason Rice, PE, Landworks Consulting and Design, Inc, dated August 31, 2004, and of such size and description as will comply with Title 17, Chapter 36, Sub-Chapters 1, 3, and 6 ARM, and,

THAT the subsurface drainfield shall have an absorption area of sufficient size to provide a maximum application rate of 0.8 gallons per day per square foot of drainfield, and,

THAT when the existing water supply system is in need of extensive repairs or replacement it shall be replaced by a well drilled to a minimum depth of 25 feet constructed in accordance with the criteria established in Title 17, Chapter 36, Sub-Chapters 1, 3, and 6 ARM and the most current standards of the Department of Environmental Quality, and,

THAT when the present sewage treatment system is in need of extensive repairs or replacement it shall be replaced by a septic tank and subsurface drainfield of such size and description as will comply with Title 17, Chapter 36, Sub-Chapters 1, 3, and 6 ARM, and,

THAT the bottom of the drainfield shall be at least four feet above the water table, and,

THAT no wastewater treatment system shall be constructed within 100 feet of the maximum highwater level of a 100 year flood of any stream, lake, watercourse, or irrigation ditch, nor within 100 feet of any water supply source, and,

THAT the water supply, wastewater treatment and storm drainage systems must be located as shown on the approved plans and attached lot layout, and,

THAT the developer and/or owner of record shall provide the purchaser of property with a copy of the Plat, approved location of water supply and wastewater treatment system as shown on the attached lot layout, and a copy of this document, and,

THAT instruments of transfer for this property shall contain reference to these conditions, and,

THAT plans and specifications for any proposed wastewater treatment systems will be reviewed and approved by the county health department and will comply with local regulations and ARM, Title 17, Chapter 36, Subchapters 3 and 9, before construction is started.

THAT departure from any criteria set forth in the approved plans and specifications and Title 17, Chapter 36, Sub-Chapters 1, 3, and 6 ARM when erecting a structure and appurtenant facilities in said subdivision without Department approval, is grounds for injunction by the Department of Environmental Quality.

Pursuant to Section 76-4-122 (2)(a), MCA, a person must obtain the approval of both the State under Title 76, Chapter 4, MCA, and local board of health under section 50-2-116(1)(i), before filing a subdivision plat with the county clerk and recorder.

YOU ARE REQUESTED to record this certificate by attaching it to the Plat filed in your office as required by law.

DATED this 22nd day of November, 2004.

RAVALLI COUNTY HEALTH OFFICER

By: Theresa J. Blazicevich
Theresa J. Blazicevich, Director
Ravalli County Environmental Health
215 South 4th - Suite D
Hamilton, MT 59840

JAN P. SENSIBAUGH
DIRECTOR

By: Melton C. Atwell for
Raymond Lazuk, Supervisor
Subdivision Review Section
Permitting and Compliance Division
Department of Environmental Quality

Owner's Name: Darrell W. Johnson

EXHIBIT "A"

A tract of ground in the West one 1/4 Section 1, T. 10 N., R. 20 W., Principal Meridian, Montana more nearly described as follows:

Beginning at the Northwest Corner of Section 1; thence N89°39'30"E a distance of 1225.0 feet along the North line of Section 1; thence S00°02'50"E a distance of 2544.74 feet; thence S89°39'30"W a distance of 1225.00 feet; thence N00°02'50"W a distance of 215.90 feet to the West one quarter corner of Section 1; thence along the West line of Section 1 N00°02'50"W a distance of 2628.78 feet to the section corner and point of beginning; containing 80.00 acres; being surveyed and monumented as shown.

FURTHER THAT THE ABOVE PARCEL IS TO BE KNOWN AND DESIGNATED AS MEADOW VISTA TRACTS AND THE LANDS INCLUDED IN ALL STREETS, AVENUES, ALLEYS AND PARKS OR PUBLIC SQUARES ARE DEDICATED, DONATED AND GRANTED TO THE USE OF THE PUBLIC FOREVER.

RECEIVED
NOV 26 2004
MT DEQ PUBLIC WATER
& SUBDIVISIONS BUREAU

1515 S. 14th Street West
Missoula, Montana 59801

August 9, 2005

RECEIVED

AUG 11 2005

Ravalli County Planning Dept.
16-05-08 -1520



EXHIBIT A-6

Janet Grove
Landworks Consulting & Design, Inc.
P.O. Box 7908
Missoula, MT 59807-7908

Dear Ms. Grove:

RE: Amended Plat of Lot 13 Meadow Vista Tracts

I have received the information on the proposed 2-lot subdivision of Lot 13 of Meadow Vista Tracts located off Meadow Vista Drive in Florence, MT. Qwest Communications will provide telecommunications service to this development. Unless you wish to make other arrangements, the cost of providing service to each lot will be the responsibility of the buyer under the tariffs applicable at the time service is requested.

If you have any additional questions or information, please call me on 406 543-2175.

Sincerely,

Dave Smith
Senior Design Engineer
1515 South 14th West
Missoula, MT 59801-4927

cc: Karen Hughes
Ravalli Cnty Planning Dept

Ravalli County Sheriff's Office
205 Bedford Street, Suite G
Hamilton, MT 59840-2853



Chris Hoffman, Sheriff

Kevin McConnell, Undersheriff

RECEIVED

AUG 22 2005

Ravalli County Planning Dept.

August 18, 2005 *IC-05-08-1585*

EXHIBIT A-7

Landworks Consulting & Design, Inc.
Attn: Janet Grove, E.I.
P.O. Box 7908
Missoula, MT 59807

RE: Agency Comment – Meadow Vista Tracts Subdivision
AP of Lot 13

Dear Mr. Nelson,

This letter is in response to the above referenced matter relative to the proposed **Meadow Vista Tracts Subdivision**. A proposal for an amended subdivision with variances is cause for concern for the Sheriff's Office. My comments follow:

1. The safety and welfare of all citizens in Ravalli County, is the highest priority of our agency. Due to the current budget constraints placed upon our office, and manpower shortages, this office is struggling to provide ample service for the citizens of Ravalli County now.
2. With the county population growth leading the state, and no more resources becoming available to the Sheriff's Office, this office may not be able to provide all of the services that the citizens of Ravalli County deserve.

For the above stated reasons, it is my belief that an amended subdivision with variances would certainly further impact and adversely affect the ability of the Sheriff's Office to provide Law Enforcement services for this community.

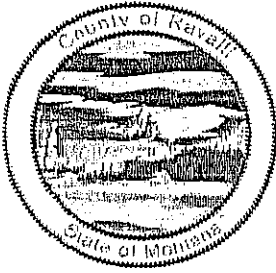
Respectfully,

A handwritten signature in black ink, appearing to read "Chris Hoffman".

Chris Hoffman,
Ravalli County Sheriff

CAH:ld

Cc: Ravalli County Planning Board



Planning Department
215 South 4th Street, Suite F
Hamilton, MT 59840
Phone 406-375-6530
Fax 406-375-6531
planning@ravalliacounty.mt.gov

OG-06-08-957

August 21, 2006

Darrell Johnson & Denise Pascua
PO Box 1058
Florence, MT 59833

EXHIBIT A-8

RE: Floodplain Permit Application FA-06-08
Section 1; Township 10 North; Range 20 West
Description of Parcel: 5760 Meadow Vista Drive, Florence
Parcel #1433800, Geocode #1869-01-1-01-08-0000

Dear Mr. Johnson and Ms. Pascua,

Your Floodplain Application has been reviewed and a permit granted under the terms and conditions contained within the enclosed Decision. Before the project is started, you and your consultant and/or contractor should carefully read the conditions and terms of the Decision. Please be sure you understand what is approved and the conditions which must be met.

Please note, your permit expires in one (1) year. All work must be completed prior to this expiration. A one (1) year extension to the permit is possible upon written request to the Ravalli County Planning Department along with the extension fee.

The enclosed Floodplain Permit Compliance Certification must be submitted within ten (10) days of project completion. The form must be submitted or you will not be in compliance with the permit. We will need to complete an onsite inspection to ensure the requirements of the floodplain permit have been met.

If you have any questions, please feel free to contact our office.

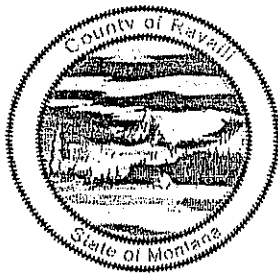
Sincerely,

A handwritten signature in cursive script that reads "Laura Hendrix".

Laura Hendrix, CFM
Ravalli County Floodplain Administrator

Enclosures: Floodplain Decision FA-06-08
Floodplain Permit Compliance Certification

Cc: Correspondence File – General
File FA-06-08
Lana Hedlund, DNRC
Larry Schock, DNRC
Nathan Lucke, Landworks
John Lavey, Ravalli County Assistant Planner



Floodplain Decision Ravalli County, Montana

Applicant: Darrell Johnson & Denise Pascua
Section 1; Township 10 North; Range 20 West
Description of Parcel: Parcel #1433800
Geo-code #1869-01-1-01-08-0000
5760 Meadow Vista Drive, Florence
File Reference Number: FA – 06 – 08

APPROVED WITH CONDITIONS

Sec. 1. Project Description

The proposed project on the subject property consists of installing utility lines (phone, power, gas) and constructing an "at grade" driveway/access road in the 100-year floodplain. The work items necessary to complete the project include:

- Excavation of topsoil
- Placement of limited fill (road base materials) and utility lines

Sec. 2. Findings

- (A) On February 10, 1995 the Montana Board of Natural Resources adopted new flood hazard maps for the mainstem of the Bitterroot River from the confluence of the East and West Forks of the Bitterroot River north to the Ravalli/Missoula County line. Based on those maps the Federal Emergency Management Agency adopted new Flood Insurance Rate Maps with an effective date of September 7, 1998.
- (B) As shown on the flood hazard maps (Sheet 1 of 24), the project is located in the 500-year floodplain, however subsequent surveyed elevations identify the project location as being in the 100-year flood fringe.
- (C) Given the fact that the project location did not appear to be in the floodplain on the flood hazard maps, the utility lines were installed prior to the submittal of a floodplain permit application. The project was submitted and reviewed as a regular floodplain permit rather than an After-the-Fact floodplain permit.
- (D) According to the information submitted the applicant did not apply for permits from the United States Army Corps of Engineers, the Bitterroot Conservation District, Montana Fish, Wildlife and Parks or the Montana Department of Environmental Quality. The application was reviewed by the Missoula Office of the DNRC with comments considered in this decision.
- (E) Consistent with the Ravalli County Floodplain Regulations, public notice was given in the Ravalli Republic, a newspaper of general circulation, on July 3, 2006. Letters were mailed out to the adjoining property owners as required by the floodplain regulations. No comments were received from adjacent landowners.

- (F) This conditional approval is not an endorsement of the project's success or effectiveness or that the project will be unaffected by floodwaters.

Sec. 3. Compliance with Floodplain Regulations

- (A) *Ravalli County Floodplain Regulations*: The project as proposed with the conditions specified herein, is in compliance with the Ravalli County Floodplain Regulations.
- (B) *Montana Floodplain and Floodway Management Act*: The project as proposed with the conditions specified herein, is in compliance with the Montana Floodplain and Floodway Management Act.
- (C) *Zoning*: The subject property is not located within a zoning district established by the County.
- (D) *Covenants*: Copies of the applicable covenants, if any, were not submitted.

Sec. 4. Public Interest Assessment

As required by the Ravalli County Floodplain Regulations, the following criteria were evaluated with respect to the project. The narrative in *bold and italic print* is the criteria with a finding in regular print.

- (A) *The danger to life and property due to increased flood heights, increased flood water velocities, or alterations in the pattern of flood flow caused by encroachments.*

The project as approved with the conditions specified herein, is not expected to create a danger to life or property, increase flood heights, increase flood water velocities or significantly alter the pattern of flood flow as 120 cubic yards of existing topsoil to be replaced with an equal amount (120 cubic yards) of backfill to construct the "at grade" access road. Utility trenches were backfilled with existing topsoil and compacted to grade.

- (B) *The danger that materials may be swept onto other lands or downstream to the injury of others.*

It is not expected that the materials used could be swept downstream to the injury of others as this project is located at the outer edge of the flood fringe and is about 2,300 feet from the present-day channel of the Bitterroot River.

- (C) *The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions.*

Not applicable. No water supply or sanitation system is proposed as part of this project.

- (D) *The susceptibility of the proposed facility and its contents to flood damage and the effects of such damage on the individual owner.*

Not applicable. No facility is proposed as part of this project, however flood insurance is recommended to mitigate any potential flood damages to the nearby existing residence.

- (E) *The likelihood that the structure or building will be threatened due to its proximity to the stream or potential lateral movement of the stream.*

It is not anticipated that the Bitterroot River will move laterally and reclaim the historic channel near this project location, however given the unstable dynamic nature of the river it is a possibility that the access road and utility lines may be threatened and overtopped by floodwaters.

(F) The importance of the services provided by the facility to the community.

The project is solely for the benefit of the applicant, and not necessarily for the community.

(G) The requirement of the facility for waterfront location.

Not applicable. No facility is proposed as part of this project.

(H) The availability of alternative locations not subject to flooding for proposed use.

No other alternative locations have been determined to be practical for this project.

(I) The compatibility of the proposed use with existing development and anticipated development in the foreseeable future.

This project is compatible with existing and anticipated development in the area. No new development is anticipated in the foreseeable future.

(J) The relationship of the proposed use to the Master Plan and floodplain management program.

The County does not have a "Master Plan"; however the project is consistent with the Growth Policy and floodplain management program.

(K) The safety of access to property in times of flooding for ordinary and emergency services.

During times of flooding the access road may be inundated by floodwaters. Roads in the floodplain must be built "at grade" so as to not increase the base flood elevation and impede the conveyance of floodwaters. Therefore the property may not be safely accessible by ordinary and/or emergency services in times of flooding.

(L) The effects of the proposed use on other adjoining properties.

The proposed project is not anticipated to have any effect on adjoining properties as no net increase in fill will be placed to construct the access road or backfill the utility trenches. No adjoining property owners provided written comments during the public comment period.

(M) The effects on water rights.

This project is not anticipated to have any effect on water rights. The floodplain permit does NOT authorize the applicant to receive additional water not allocated specifically under his/her water right. It is the applicant's responsibility to ensure they have the necessary right to this water. Before a person can divert or impound water for a new use or change an established water use in any way (including irrigating, stocking fish, or pumping from a pond), that person must receive a permit from the DNRC.

(N) The cumulative effect of the proposed project along with other existing projects.

There are no other existing projects in the area of the proposed project.

(O) Such other factors as are in harmony with the purposes of this Code, the Montana Floodplain and Floodway Management Act, and the National Flood Insurance Program.

No other factors have been identified.

Sec. 5. Decision

The Floodplain Administrator hereby approves this floodplain project, subject to the conditions and requirements as may be included in this Decision. This Decision is specifically based on the following three findings.

- (A) The project with the conditions specified herein, meets the development standards of the Ravalli County Floodplain Regulations and the Montana Floodplain and Floodway Management Act.
- (B) The project with the conditions specified herein, is consistent with zoning regulations and covenants, if any.
- (C) The project with the conditions specified herein, is in the public interest.

Sec. 6. Description of Approved Development and Conditions

- (A) The work elements as listed below are approved with the conditions, if any, as listed.

- 1) Excavation of topsoil and placement of utility lines, provided that
 - a. All utility lines are buried, rather than suspended.
 - b. No towers or appurtenant structures are located in the floodway.
 - c. Utility transmission lines are buried to a depth of at least twice the calculated maximum depth of scour for a 100-year flood event.
 - d. Back fill must comply with definition of "suitable fill" as defined in the Ravalli County Floodplain Regulations
- 2) Excavation of topsoil and placement of limited fill, 120 cubic yards gravel fill, provided that
 - a. Reasonable alternate transportation routes outside the designated floodway are not available.
 - b. The encroachment is located as far from the river channel as possible.
 - c. The project does not result in a cumulative increase in base flood elevations of more than one-half ($\frac{1}{2}$) foot nor cause a significant increase in flood velocities.
 - d. All materials excavated must be relocated off site and outside the 100-year floodplain.
 - e. Gravel fill must comply with definition of "suitable fill" as defined in the Ravalli County Floodplain Regulations.
 - f. There shall be no net increase in fill and the road grade shall not be increased.
 - g. The road surface may not exceed 320 lineal feet in the floodplain.

- (B) *General Conditions of Approval.* As a condition of approval, the following conditions shall apply.

- 1) The permit is approved with the conditions listed herein as submitted by the applicant. It is the applicant's responsibility to ensure that the work items in the application as submitted, signed and dated April 13, 2006 (by the applicant) are completed as indicated within the application unless one of the conditions of approval within this Decision requires otherwise.
- 2) It is the applicant's responsibility to be aware of any covenants or other restrictions that may be on the subject property. The applicant will adhere to the provisions or conditions of the covenants or other restrictions, if any. If any such covenant or other restriction prohibits any work element or portion thereof, as approved by this permit, that work element is herein denied.
- 3) If it can be shown that a work item(s) permitted by this approval is having a substantial negative effect on adjacent landowners or the function/stability of the river system, it shall be modified or removed at the expense of the person owning the property at the time the Floodplain Administrator makes such a written determination.

- 4) The applicant shall adhere to conditions of approval of other applicable permits, if any.
- 5) The applicant is responsible to obtain all necessary permits to complete the work required and provide copies of the approved permits to the Floodplain Administrator. The issuance of this permit does not ensure all necessary permits have been obtained.
- 6) This project may require a change in water right through the DNRC. It is the applicant's responsibility to ensure they have the necessary right to this water.
- 7) The road may be used for private access/driveway only. If a subdivision were to be proposed the road may be considered a public transportation route and would be required to meet the design requirements set forth in the Ravalli County Floodplain Regulations as well as other local, state and federal regulations.

(C) ***Repairs and Maintenance Permitted.*** Normal repairs and maintenance are permitted, provided such work does not constitute reconstruction.

(D) ***Reconstruction Not Permitted.*** If a work item(s) permitted by this approval is substantially destroyed during a flood, reconstruction is not permitted unless and until the landowner receives a new floodplain permit.

Sec. 7. Major and Minor Deviations

(A) Substantial deviations from this approval shall require written approval from the Floodplain Administrator.

(B) The Floodplain Administrator may allow minor deviations from the location of the work items that are depicted in the site plan.

(C) For the purposes of this approval, a minor deviation means a deviation from the approved site plan and this approval that is necessary in light of technical or engineering considerations first discovered during actual development and not reasonably anticipated during the initial approval process, which does not alter the intent of the approval. A major deviation means a deviation from the approved site plan and this approval that is not a minor deviation. If the applicant is unsure if a deviation would be minor or major, the Floodplain Administrator shall be contacted for a determination.

Sec. 8. Certification of Compliance

Within ten (10) days of completing all of the approved development, the applicant shall sign the Floodplain Permit Compliance Certification form and submit it to Ravalli County Planning Department. Submitting the certification is required to be in compliance with this permit and must be submitted to finalize the permit. Maintenance of the approved work items will be allowed (as specified in Section 6) after submitting the certification.

Sec. 9. Withdrawal of Approval

The Floodplain Administrator may withdraw this approval if he/she determines that the information provided by the applicant, and upon which such decision was based, is inaccurate.

Sec. 10. Approval Period

This conditional approval shall be in effect for not more than one (1) calendar year from the date of this Decision. The Floodplain Administrator may upon written request extend this approval for not more than one (1) calendar year after the date of this Decision. Contact the Floodplain Administrator for the fee required for processing the extension request.

Sec. 11. Effect of Approval

Changes in the Ravalli County Floodplain Regulations shall not affect this approval and no additional conditions shall be imposed provided that the development commences on or before one (1) year from the date of this Decision and the development proceeds in good faith towards completion. Changes in the Ravalli County Subdivision Regulations and other regulations that may be adopted must be complied with.

Sec. 12. Date of Decision

This Decision was made Monday, August 21, 2006.

Sec. 13. Decision Authorization

Approved By:

A handwritten signature in cursive script that reads "Laura Hendrix".

Laura Hendrix, CFM
Floodplain Administrator
Ravalli County Planning Department

Floodplain Permit Compliance Certification

Permit Number: FA-06-08

Name(s) of Permittee: Darrell Johnson & Denise Pascua

Within ten (10) days following the completion of the activity authorized or required by the above-referenced permit, the permittee shall sign this certification and return it to the following address:

Ravalli County Planning Department
Floodplain Administrator
215 South 4th St, Suite F
Hamilton, MT 59840

.

I hereby certify that the work authorized by the above-referenced permit has been completed in accordance with the terms and conditions of said permit. I understand that the Floodplain Administrator may inspect the project for compliance. I further understand that if the work does not meet the terms of the permit, I will take all measures necessary to correct the deficiency.

Name (print)

Title

Signature

Date

State of _____ }

:ss

County of _____ }

This instrument was acknowledged before me on _____, 200____, by

- SEAL -

Notary Public for the State of _____

My commission expires _____

Residing at _____